

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 03/31513

**A. CLASSIFICATION OF SUBJECT MATTER**

IPC 7	C07C217/62	C07C217/64	C07C323/32	C07D275/04	C07D307/86
	C07D333/54	C07D333/56	A61K31/381	A61K31/137	A61K31/343
	A61K31/425	A61P25/06	A61P25/18	A61P25/24	

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELD SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07C C07D A61P A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Please consult during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, BEILSTEIN Data, CHEM ABS Data

**IV. CITED DOCUMENTS CONSIDERED TO BE RELEVANT**

	Description of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
M	MELLONI P ET AL: "POTENTIAL ANTIDEPRESSANT AGENTS-ALPHA-ARYLOXY-BENZYL DERIVATIVES OF ETHANOLAMINE AND MORPHOLINE" EUROPEAN JOURNAL OF MEDICINAL CHEMISTRY, EDITIONS SCIENTIFIQUE ELSEVIER, PARIS, FR, vol. 19, no. 3, 1984, pages 235-242, XP000605241 ISSN: 0223-5234 abstract; table I	1-44
Y	EP 0 373 836 A (LILLY CO ELI) 20 June 1990 (1990-06-20) the whole document	1-44

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- \*&\* document member of the same patent family

Date of the actual completion of the international search

30 March 2004

Date of mailing of the international search report

06/04/2004

Name and mailing address of the ISA

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,X	WO 02/094262 A (RATHMELL RICHARD EDMUND ; FAGAN MARIA ANN (GB); GALLAGHER PETER THADDE) 28 November 2002 (2002-11-28) cited in the application the whole document	1-44
A	US 4 018 895 A (SCHMIEGEL KLAUS K ET AL) 19 April 1977 (1977-04-19) cited in the application tables 1-5	1-44
A	WO 00/02551 A (MOE SCOTT ; MUELLER ALAN (US); NPS PHARMA INC (US); BALANDRIN MANUEL () 20 January 2000 (2000-01-20) cited in the application the whole document	1-44
A	US 5 023 269 A (ROBERTSON DAVID W ET AL) 11 June 1991 (1991-06-11) the whole document	1-44
A	WO 96/09288 A (PF MEDICAMENT ; PEREZ MICHEL (FR); HALAZY SERGE (FR); JOHN GARETH WIN) 28 March 1996 (1996-03-28) cited in the application the whole document	1-44
A	WO 97/45115 A (TROPHIX PHARM INC) 4 December 1997 (1997-12-04) cited in the application the whole document	1-44
A	WO 01/62714 A (COX DAVID ; CHESHIRE DAVID (GB); METE ANTONIO (GB); CONNOLLY STEPHEN () 30 August 2001 (2001-08-30) cited in the application the whole document	1-30

**FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210**

**Continuation of Box I.1**

Although claims 40-44 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.

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**Continuation of Box I.2**

**Claims Nos.: 1-16 (part) and 19-44 (in part)**

Present claims 1-16 and 19-44 relate to an extremely large number of possible compounds/compositions containing these compounds and their use. Support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT is to be found, however, for only a very small proportion of the claimed compounds/compositions containing these compounds and their use. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely those parts relating to the compounds for which X=unsubstituted or substituted phenyl.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

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International application No.  
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## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:  
**Although claims 40–44 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.**
2.  Claims Nos.: **1–16 (part) and 19–44 (in part)**  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3.  Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this International application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- The additional search fees were accompanied by the applicant's protest.  
 No protest accompanied the payment of additional search fees.

## Information on patent family members

International Application No

PCT/US 03/31513

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
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WO 02094262	A	28-11-2002	CA EP WO	2445010 A1 1397129 A1 02094262 A1	28-11-2002 17-03-2004 28-11-2002
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* 0162714	A 30-08-2001	AU 3431401 A EP 1263715 A1 JP 2003523993 T WO 0162714 A1 US 2003065174 A1	03-09-2001 11-12-2002 12-08-2003 30-08-2001 03-04-2003